

Attorney Docket No. 68592/7109

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Rabb, Maurice
Serial No.:	09/922,498
Filed:	08/02/2001
For:	DISPLAY OF IMAGES AND IMAGE TRANSITIONS
Group Art Unit:	2671
Examiner:	Nguyen, Kimbinh T.
Customer No.:	22242
Conf. No.:	7315

DECLARATION OF MAURICE F. RABB III PURSUANT TO 37 C.F.R. 1.131

Hon. Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, Maurice F. Rabb III, declare as follows:

1. I am currently an owner and the Chief Technology Officer of Stono Technologies.
2. I am an inventor of the invention as variously described and claimed in U.S. Patent Application No. 09/922,498.

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3. I declare that the software that implements methods for the display of images and image transitions such as covered by the pending claims of U.S. Patent Application No. 09/922,498, specifically claims 27 through 42, was written and tested prior to March 29, 1999. I also declare that at least prior to March 29, 1999, I recognized the inventive aspects of the methods for the display of images and image transitions and that they would work for their intended purpose.

4. I note that all dates present on Exhibit A, which is attached hereto, have been blacked out; however, I declare that all blacked out dates are dates prior to March 29, 1999.

5. Attached as Exhibit A is a copy source code files. The source code files were all created on a date prior to March 29, 1999. The source code files when used in conjunction with a computer enable the display of images and image transitions.

6. I declare that the software of Exhibit A did in fact exist, was tested and functioned on a date prior to March 29, 1999.

7. I declare that the software implementation of the display of images and image transitions shown in Exhibit A are the same methods for display of images and image transitions that I have invented. Thus, prior to March 29, 1999, I fully appreciated the utility of the methods for display of images and image transitions and that they would work for their intended purpose.

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8. I have reviewed the pending claims of the present application, and in particular, I have reviewed claims 27 through 42, in view of the software shown in Exhibit A. Therefore, I declare that a software implementation of the methods for display of images and image transitions meeting all of the elements of claims 27 through 42 in U.S. Patent Application No. 09/922,498 existed prior to March 29, 1999 and that this software implementation worked for its intended purpose and that the invention was appreciated prior to March 29, 1999.

9. As I am advised I must, I hereby declare that all statements made herein of our my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patents issuing thereon, or any patent to which this Declaration is directed.

7/27/04  
Date

Maurice F. Rabb III  
Maurice F. Rabb, III

Attachment: Exhibit A